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4 MAGIC LEAP, INC.,  
5 Plaintiff,  
6 v.  
7 CHI XU, et al.,  
8 Defendants.

9 Case No. 19-cv-03445-LHK (SVK)  
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**ORDER REGARDING DISCOVERY  
DISPUTES**

Re: Dkt. Nos. 42, 43

12 The Court held a telephonic hearing on the presented discovery matters (Dkts. 42, 43) on  
13 May 19, 2020. The Court's rulings, as summarized below, were set forth on the record. Should  
14 there be any dispute as to the Court's rulings, the record, not the summary, will control.

15 **I. PROTECTIVE ORDER**

16 The parties are to meet and confer and submit a revised protective order that allows for the  
17 designation of one in-house counsel to have access to Attorney's Eyes Only ("AEO") material.  
18 The notification procedure of section 7.5 is to be revised to require that the information set forth in  
19 7.5(b) be set forth in a declaration signed by the designated in-house counsel. As provided in  
20 section 7.5(c), a party may object to a designation and, if the parties are unable to resolve the  
21 dispute following robust meet and confer efforts, bring the matter to the undersigned for resolution  
22 in accordance with this Court's standing order. No dispute regarding access by in-house counsel  
23 is to delay responding to discovery. The stipulated and revised protective order is to be submitted  
24 to the Court no later than **May 29, 2020**.

25 **II. INTERROGATORIES AND REQUESTS FOR ADMISSIONS**

26 1. Revised Interrogatory no. 6, as propounded by Plaintiff following meet and confer  
27 efforts, will be exchanged for the initial Interrogatory no. 6 and will be limited to  
28 communications initiated by Defendant NREAL.

United States District Court  
Northern District of California

- 1       2. NREAL's objection to each of the interrogatories and Requests for Admission  
2           ("RFAs") 15 and 16 because Plaintiff has not yet provided a statement as anticipated  
3           by Cal. Civ. Proc. Code § 2019.210 is overruled. NREAL will respond to the  
4           jurisdictional interrogatories and RFAs as discussed on the record — providing  
5           "confidential" information as necessary but without providing detailed technical  
6           information.
- 7       3. NREAL's objection to each of the interrogatories and RFAs 6-19 to the extent the  
8           requests seek information after the date the complaint was filed is sustained. Because  
9           NREAL is a foreign entity and the jurisdictional discovery is properly focused on  
10          NREAL's contacts with California, NREAL shall provide the requested information as  
11          of June 17, 2019.
- 12      4. In responding to the interrogatories and RFAs regarding contacts with California,  
13           NREAL shall provide enough information to identify who, what (by general  
14           description), where, and when. As noted above, to the extent such information is  
15           "confidential," it will be properly safeguarded by the stipulated protective order.  
16           NREAL is not required to provide detailed technical information. In particular, with  
17           regards to Interrogatory no. 2, NREAL may identify the products and software by  
18           commercial names. With regards to Interrogatory no. 5, the Court strikes the term  
19           "efforts."

20           NREAL's responses shall be due no later than **June 9, 2020**.

21           **SO ORDERED.**

22           Dated: May 19, 2020

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25           SUSAN VAN KEULEN  
26           United States Magistrate Judge  
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